

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

SCOTT T. LAY,

Plaintiff,

v.

ESTATE OF MICHAEL DAVID
OLSEN, et al.,

Defendant.

CASE NO. C25-5122 BHS

ORDER

THIS MATTER is before the Court on Magistrate Judge Theresa L. Fricke's Report and Recommendation (R&R), Dkt. 4, recommending the Court deny pro se plaintiff Scott Lay's application to proceed *in forma pauperis*, and dismiss his proposed complaint for failure to state a claim and for failure to comply with her order to correct its deficiencies by filing a proposed amended complaint. *Id.* at 1.

A district judge must determine de novo any part of a magistrate judge's proposed disposition *to which a party has properly objected*. It must modify or set aside any portion of the order that is clearly erroneous or contrary to law. Fed. R. Civ. P. 72(a). The district judge may accept, reject, or modify the recommended disposition; receive further

1 evidence; or return the matter to the magistrate judge with instructions. Fed. R. Civ. P.
2 72(b)(3). A proper objection requires “specific written objections to the proposed
3 findings and recommendations” in the R&R. Fed. R. Civ. P. 72(b)(2).

4 Lay has not objected to the R&R, and it is not clearly erroneous or contrary to law.
5 The R&R is **ADOPTED**, Lay’s application to proceed *in forma pauperis* is **DENIED**,
6 and this matter is **DISMISSED** without prejudice and without leave to amend.

7 The Clerk shall enter a **JUDGMENT** and close the case.

8 **IT IS SO ORDERED.**

9 Dated this 27 day of May, 2025.

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12 BENJAMIN H. SETTLE
13 United States District Judge
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